



N 10/625,221

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	SCHLIEVERT ET AL.	Examiner:	UNKNOWN
Serial No.:	10/625,221	Group Art Unit:	1645
Filed:	JULY 22, 2003	Docket No.:	600.311USD1
Confirmation No.:	UNKNOWN	Customer No.:	23552
Title:	<u>MUTANTS OF STREPTOCOCCAL TOXIN A AND METHOD OF USE</u>		

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 22, 2003.

By:

Name: Sheryl A. Boerboom

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted within three months of the filing date of the above-identified application, which is not an application under 37 C.F.R. § 1.53(d). Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. § 1.98(d), a copy of each document or other information listed on the enclosed Form 1449 is not provided because it was previously cited by or submitted to the U.S. Patent and Trademark Office in parent application, U.S. Serial No. 08/973,391 filed on March 12, 1998.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a

reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

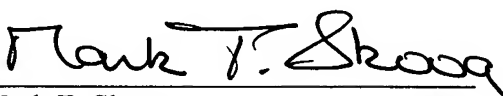
Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

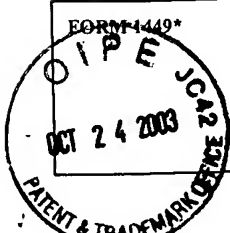
Respectfully submitted,

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DATE: Oct 22, 2003



Mark T. Skoog
Reg. No. 40,178



EORN-1449* 	INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)		Docket Number: 600.311USD1	Application Number: 10/625,221
			Applicant: SCHLIEVERT ET AL.	
			Filing Date: July 22, 2003	Group Art Unit: 1645

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
	5,336,598	08/09/1994	Kotzin et al.				
	5,298,396	03/29/1994	Kotzin et al.				
FOREIGN PATENT DOCUMENTS							
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	WO 93/14634	08/05/1993	PCT				
	WO. A, 85 00832	02/28/1985	PCT				
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
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EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

FORM 1-140* 	INFORMATION DISCLOSURE STATEMENT	
	IN AN APPLICATION	
	(Use several sheets if necessary)	
	Docket Number: 600.311USD1	Application Number: 10/625,221
Applicant: SCHLIEVERT ET AL.		Filing Date: July 22, 2003
		Group Art Unit: 1645

	Fast, D. et al., "Toxic Shock Syndrome-Associated Staphylococcal and Streptococcal Pyrogenic Toxins are Potent Inducers of Tumor Necrosis Factor Production", <i>Infection and Immunity</i> 57:291-295 (Jan. 1989).
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FORM 1449*

INFORMATION DISCLOSURE STATEMENT

IN AN APPLICATION

(Use several sheets if necessary)

Docket Number:

600.311USD1

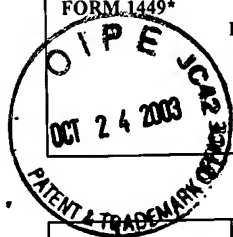
Application Number:

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Applicant: SCHLIEVERT ET AL.

Filing Date: July 22, 2003

Group Art Unit: 1645



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23552

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Applicant: SCHLIEVERT ET AL. Examiner: UNKNOWN
Serial No.: 10/625,221 Group Art Unit: 1645
Filed: JULY 22, 2003 Docket: 600.311USD1
Confirmation No.: UNKNOWN Customer No.: 23552
Due Date: OCTOBER 22, 2003
Title: MUTANTS OF STREPTOCOCCAL TOXIN A AND METHOD OF USE

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 22, 2003.

By:

Name: Sheryl A. Boerboom

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

23552

PATENT TRADEMARK OFFICE

Sir:

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MERCHANT & GOULD P.C.
P.O. Box 2903, Minneapolis, MN 55402-0903
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By:

Name: Mark T. Skoog

Reg. No.: 40,178

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